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Respectfully submitted,

By: Byron S. Kuzara
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PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Michael A. AVENI, et al.

Serial Number 09/991,265

Filed: November 15, 2001

For: FOOTWEAR SOLE WITH A STIFFNESS
ADJUSTMENT MECHANISM

Group Art Unit: 3728

Examiner: Stashick, A.

Attorney Reference: 005127.00078

RESPONSE

Commissioner for Patents
Alexandria, VA 22313

Sir:

The Office Action mailed June 3, 2003 has been carefully reviewed and, in view of the following remarks, reconsideration and allowance of the application are respectfully requested.

I. Summary of Claims

Claims 1-37 are currently pending in the application, with claims 1, 17, 20, and 28 being independent claims. In the outstanding Office Action, the Examiner rejected claims 1-5, 11-14, and 17-19 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Number 6,487,796 to Avar, et al. The Examiner also indicated that claims 20-37 are allowed, and that claims 6-10 and 15-16 would be allowable, but are objected to as being dependent upon a rejected base claim.



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July 8, 2003

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RE:
U.S. Serial No. 09/991,265

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